

THORNTON DAVIDSON, #166487
Attorney at Law
2055 San Joaquin Street
Fresno, California 93721-2717
Telephone: (559) 256-9800
Facsimile: (559) 256-9795
e-mail: thorntondavidson@aol.com

Attorney for Plaintiff, DIANE CARROLL

JEROME SCHREIBSTEIN, #154051
STEPHEN K. ROBINSON, #217898
PAYEN & FEARS, LLP
Attorneys at Law
One Embarcadero Center, Suite 2300
San Francisco, CA 94111
Telephone: 415-398-7860
Facsimile: 415-398-7863
skr@paynefears.com

Attorneys for Defendants,
BAYER CORPORATION DISABILITY PLANS
(erroneously sued herein also as Bayer Corporation Group Health Plan)

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA

DIANE CARROLL,

Plaintiff,

v.

BAYER CORPORATION DISABILITY
PLANS; BAYER CORPORATION
GROUP HEALTH PLAN

Defendants.

Case No.: C 06-7153 MJJ

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CURRENTLY
CALENDARED DATES**

WHEREAS, the last day to complete ADR is currently May 2, 2007;

WHEREAS, counsel, the parties, and the assigned Evaluator, C. Mark Humbert, have met and conferred in attempt to set a date prior to May 2, 2007 for the ENE session, but were unable to do so;

WHEREAS, the earliest available date for all involved is June 20, 2007 and the ENE session has now been confirmed for that date;

STIPULATION AND [PROPOSED] ORDER CONTINUING CURRENTLY CALENDARED DATES
CASE NO.: 06-7153 MJJ

WHEREAS, the parties are currently due to file briefs regarding the Standard of Review on May 1, 2007, with hearing on June 12, 2007;

WHEREAS, the parties are currently due to file dispositive motions on July 17, 2007, with hearing on August 21, 2007;

WHEREAS, this matter is currently set for trial on October 15, 2007;

WHEREAS, with the goals of party and judicial economy in mind, the parties wish to delay the Standard of Review and dispositive motions until after the ENE session;

WHEREAS, plaintiff on the one hand, and defendant, on the other hand, are collectively adverse, they agree through their respective counsel to the following:

1. The last day to complete ADR will now be June 27, 2007;
July 31,
2. The hearing for the Standard of Review will now be August 21, 2007;
3. ~~The hearing for dispositive motions will now be October 23, 2007;~~
4. ~~The Pretrial Conference will now be December 11, 2007; and~~
5. ~~The Trial will now be held on December 17, 2007.~~

IT IS SO STIPULATED.

Dated: April 26, 2007

/s/ Thornton Davidson
THORNTON DAVIDSON
Attorney for Plaintiff,
DIANE CARROLL


Dated: April 26, 2007

/s/ Stephen K. Robinson
JEROME SCHREIBSTEIN
STEPHEN K. ROBINSON
Attorneys for Defendants,
BAYER CORPORATION
DISABILITY PLANS
(erroneously sued herein also as
Bayer Corporation Group
Health Plan)

~~[PROPOSED]~~ ORDER

IT IS SO ORDERED.

Dated: May 25, 2007


HONORABLE MARTIN J. JENKINS
UNITED STATES DISTRICT COURT JUDGE